



Dismissing an Employee

About this Topic: Dismissing an Employee

Topic Mentors



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Stever Robbins

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Topic Source Notes

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What Would You Do?

What would you do?

When Kia hired Marshall, she had been impressed with his energy and drive. He was enthusiastic and learned their products quickly. A few months later, Kia sat looking at Marshall's sales reports. He wasn't meeting his goals—in fact, he wasn't even coming close. Everyone in the department was hitting their revenue targets except for him. In addition, his reports were disorganized and incomplete. Some were even missing! Kia shook her head sadly. How could she have been so wrong? Marshall might have the personality for sales, but he sure lacked the discipline and organizational skills to be truly successful. Maybe it was time to cut her losses and let Marshall go. What other choice did she have if she hoped to keep her team afloat?

What would you do?

While dismissing an employee may seem like the only solution to a problem, there are other alternatives worth exploring.

For example, Kia might consider coaching Marshall to clarify performance expectations. She might also consider sending him to a training session to improve his skills. If the situation doesn't improve, she might then decide to issue Marshall a formal warning or

put him on probation. It's important for Kia to document Marshall's poor performance and note the steps she's taken to help him improve. Throughout the process, Kia should consult her human resources department and/or legal counsel to ensure that she's following her company's policies and procedures correctly.

In this topic, you'll learn how to consider alternatives to dismissals, where to turn for help, and how to handle yourself before, during, and after a dismissal.

Kia's new employee seemed perfect for the job—at first.

Topic Objectives

This topic contains information on how to:

- Make key decisions before, during, and after a dismissal
- Communicate effectively with employees about a dismissal
- Decide whether to dismiss a problem employee
- Conduct a dismissal correctly

Disclaimer: At several points, this topic refers to legal concerns involved in making and communicating the decision to dismiss an employee. It is not intended as legal advice. You should consult with legal counsel who can advise you on the specifics of your situation.

Key Idea: Why learn about dismissals?

Key Idea

While no one likes to be the bearer of bad news, managers are sometimes faced with the difficult task of having to dismiss an employee whose performance just can't be brought up to par.

This can be one of the most difficult and painful tasks in any manager's life. In fact, the heightened emotions, serious legal implications, and other concerns associated with dismissing an employee can be so complex and intense that many managers avoid even discussing them.

Unfortunately, dismissing employees is a fact of organizational life. Managers who shy away from learning about dismissals risk handling the situation badly. And a poorly handled dismissal can:

- Permanently damage individual reputations and professional self-esteem
- Corrode a company's reputation in its industry, making it harder for the company to attract and retain talented employees
- Lead to lawsuits
- Destroy trust and morale throughout the organization
- Prompt high performers who know they are very marketable to leave the company

The more you know about dismissing employees, the better prepared you'll be to handle the situation if it arises.

What do you risk by not learning to handle dismissals? Plenty.

Defining the term

To **dismiss** an employee is to terminate an individual's employment with a company owing to inadequacies or problems with his or her performance or behavior.

The table below summarizes the main attributes of dismissals.

Dismissals

| | |
|-----------------------|---|
| Reason | Based on an employee's problematic performance or behavior |
| Decision maker | You, the manager, decide and implement |
| Emotions | Mostly relief for managers; negative emotions for dismissed employee |
| Legal issues | Managers must let the company's legal department guide them through the process |
| Effectiveness | Will usually solve the problem at hand—unless the manager has a history of unnecessary dismissals |

A note about dismissal terminology

Organizations use different terms for dismissing an employee. Examples include *firing*, *terminating*, *letting go*, and *discharging*. Often one company avoids a term used by another. In addition, some terms do not cross cultures meaningfully. For these reasons, we have chosen to use the generic term "dismissal" throughout this topic.

Disclaimer: At several points, this topic refers to legal concerns involved in making and communicating the decision to dismiss an employee. It is not intended as legal advice. You should consult with legal counsel who can advise you on the specifics of your situation.

When do dismissals occur?



Dismissals occur whenever a manager decides that an employee's performance or behavior is hopelessly problematic.

In some cases, an employee outright violates a law or a company policy (for example, by stealing or by sexually harassing another employee), and is dismissed immediately. In other cases, the manager has worked with the employee over many months to try to address performance or behavioral problems, but these efforts have not succeeded.

In general, you, the manager, would decide whether to dismiss an employee. You would also be the one to deliver the news.

What emotions are associated with dismissals?

For most managers, dismissing a problem employee generates a feeling of relief. That's because dismissing usually solves the problem at hand. However, some managers may feel a sense of failure because they see themselves as responsible for being unable to improve matters.

For employees who are dismissed, feelings can range from anger, sadness, and resignation to shame, frustration, rage, or even relief—depending on the individual involved and the circumstances surrounding the dismissal.

Workers who remain may experience strong emotions as well, depending on their relationship with the dismissed employee. Friends and supporters of the former team member may feel angry. Those who felt frustrated by the dismissed person's poor performance may feel relieved.

Leadership Insight: A CEOs dilemma

A CEO of a software consulting firm is about to send one of his consultants to bring an installation live. The consultant has been working on it for some time, and this is a big deal for the company. The CEO gets a call from the company where the installation is supposed to happen and is told, "Your consultant hasn't shown up. We've been waiting here all day, and he hasn't shown up."

The CEO is baffled and he can't find the consultant. Eventually after a day or two, the sister of the consultant calls and says, "Look, my brother has started drinking again. He's a recovering

alcoholic, and he started drinking again."

So the CEO is faced with the choice of what do I do: Do I fire him? You can't fire someone because of an illness, but you can fire someone for not showing up. And by not showing up, this guy cost the company a couple hundred thousand dollars in business.

So he consults with his father, who is involved with Alcoholics Anonymous because his father is a recovering alcoholic himself. His father says, "Fire the guy. He's got to hit rock bottom for him to take responsibility of himself."

The CEO is wrestling with that a little bit and consults with an outpatient clinic who says, "We can help the guy." So the CEO weighs the decision: Do I go with my father, do I go with the outpatient clinic? And he decides, "I can't live with myself if anything happens to this consultant."

He gets him into the outpatient clinic and then the guy comes back. The long-story-short is that the guy ends up doing this again and costing the company more money. The CEO is faced with the same choice of, "How far do I go to help this employee?"

Again, he chooses to help the employee and continues to do this until eventually the employee just leaves the company. The lesson that the CEO had to learn was: In spite of the fact he couldn't live with himself if something happened to this employee, it wasn't about what was best for his feelings, it was about what was best for the employee.

And everybody at that point was telling him, "This guy has to take responsibility for himself." And the CEO, because of his own compassion — or what he felt was compassion — couldn't see that this employee needed to take responsibility for himself. And the ethical choice would have been to have the employee take responsibility for himself, which might have involved firing him.

At what point does an employer's responsibility to help reform employee behavior begin or end?

Jeffrey L. Seglin
Ethics Columnist, The New York Times Syndicate

Jeffrey L. Seglin, an associate professor at Emerson College, is the author of "The Right Thing," a weekly column on general ethics syndicated by The New York Times Syndicate.

He is the author or coauthor of more than a dozen books on ethics, business, and writing, including "The Right Thing: Conscience, Profit and Personal Responsibility in Today's Business" and "The Good, the Bad, and Your Business: Choosing Right When Ethical Dilemmas Pull You Apart."

Jeffrey was formerly an executive editor at Inc. magazine and has written for publications including the New York Times, Fortune, Sloan Management Review, and Harvard Management Update.

He is an ethics fellow at the Poynter Institute for Media Studies and has served as a resident fellow at the Center for the Study of Values in Public Life at Harvard.

What are the legal implications of dismissals?

Dismissals can happen in any organization and in any industry. However, dismissal regulations vary widely internationally.

Laws and company policies governing dismissals are complex. Various forms of employee status—such as exempt versus nonexempt, or union versus nonunion—add to this complexity.

A general awareness of these implications can help guide you when dismissing an employee. However, it's vital that you follow your firm's policies exactly and seek legal advice from your internal or external corporate counsel. Sloppy handling of a dismissal can result in a wrongful-dismissal suit, so let your company's legal department guide you every step of the way.

How effectively do dismissals solve the problem?

Dismissals usually solve the problem at hand—whether it's poor performance on the employee's part or problematic behavior that severely disrupts team performance.

However, sometimes dismissals stem *in part* from a manager's failure to give timely and sufficient feedback and support to the problem employee. If the manager doesn't take the time to learn from a dismissal—to identify what (if anything) he or she could have done better to help the employee improve—a pattern of unnecessary dismissals may emerge in the manager's team or department.

Key Idea: Acknowledge the emotional impact

Key Idea

Deciding whether to dismiss an employee puts significant emotional strain on any manager—no matter how experienced he or she is. During the decision process, you may experience one or more of the following feelings:

- **Anxiety** over whether dismissing the employee is the right decision—should you do something more to try to solve the person's performance or behavior problem?
- **Sadness** over the possibility of losing an employee who may have positive personal qualities and who may be your friend
- **A sense of failure** because you can't find a more positive solution to the problem
- **Concern** over whether the affected employee will suffer severe financial hardship if dismissed
- **Fear** that a dismissed employee might seek retribution or take legal action against the company
- **Relief** that you'll finally be rid of a chronic problem employee

Dismissing an employee is a stressful event. As a manager, you can prepare yourself for some commonly experienced feelings.

Acknowledge the uncertainty

You may feel some confusion or uncertainty over how to decide whether to dismiss a worker or how to actually implement a dismissal if matters should come to that. For example, you may be wondering:

- When it's legal to dismiss someone
- How and when to break the news to an affected employee
- How to handle the dismissal according to legal and company policy
- How to preserve morale and trust among remaining team members who may question the dismissal decision or who may have been friends with the affected employee
- How to realign work roles, systems, and processes in your team or department after the person leaves so that his or her former responsibilities are handled effectively

Take care of yourself

It's vital that you find ways to take care of *yourself* during this difficult time. Only then can you put yourself in the best possible position to handle the dismissal effectively. Begin with these steps:

- Understand that dismissing someone may have difficult consequences for everyone—you, the affected employee, and your remaining team members. Once implemented, a dismissal can be difficult even for people *outside* the company.

For example, a customer or supplier who had established a professional connection with the affected employee may wonder why he or she has been dismissed or question the performance of the entire team.

- Acknowledge that if you've truly tried everything to help solve the employee's performance or behavior problem, you've done your best to give him or her a fair chance to improve. Realize, too, that being dismissed may actually be a relief for the affected employee. After all, few people enjoy being in a job where things aren't working out.
- Discuss your feelings about the situation with your support network—your family members, friends, colleagues, and others who are good listeners—and ask them how they might handle the emotions associated with the decision.

Know when you can dismiss an employee immediately



In the United States, offenses for which immediate dismissal is almost always justifiable include:

- Endangering coworkers' health and safety
- Flagrantly violating the most serious company rules; for example, giving away trade secrets to competitors

- Being dishonest about significant workplace issues; for instance, lying about one's expenses or sales
- Sexually harassing coworkers or otherwise threatening them in ways that prevent them from doing their work
- Engaging in criminal activity
- Using alcohol or drugs at work
- Gambling on the job
- Possessing an unapproved weapon at work

Laws vary from state to state and from nation to nation. Consult internal or external legal counsel to make sure you understand the regulations unique to your situation.

Key Idea: Know when to proceed with documentation

Key Idea

In U.S. businesses, the following workplace wrongs merit dismissal if they persist or go uncorrected after you bring them to the employee's attention:

- Performing poorly on the job
- Refusing to follow instructions
- Having a persistent negative or destructive attitude
- Being insubordinate
- Abusing sick leave and other privileges and
- Being chronically late or absent

If you work in a country other than the United States, once again, consult internal or external counsel to make sure you understand the regulations unique to your situation.

There are many reasons, beyond the above, why a manager might dismiss an employee. Whatever your reason for dismissal, it's vital to document the employee's behavior and the steps you've taken to correct it. Being able to point to a history of problem behavior in documented employee performance reviews, personnel-file memos, and private notes can be invaluable if a dismissed employee claims that his or her dismissal was unjustified.

Find out what circumstances warrant documentation of problem behavior or performance.

Leadership Insight: Know when to let go

If I have a single regret as a manager, looking back over the 20 or 30 years of running businesses and running newsrooms and the various things I've run, it's that I think I probably had a tendency to stick with some people too long.

I'm a very people-oriented manager, and I think that's important and people should appreciate their boss and get an appreciation of how well they're doing. I always thought I had a pretty open relationship with people about that.

But I wanted people to make it. And when you start a company and you start it with a group of people, it's like being in a fraternity — you have a very close feeling, like you've been through Hell Week and therefore you've earned your spot.

The fact of the matter is, if a company is a success and it grows quickly, things change. The skill sets involved in getting you to that point of being a successful company are different, frequently, than the skill set it takes to run a company.

So I knew my sales manager was going to be terrific at getting the first \$5 million or \$10 million in revenue because he was going to be personally involved in getting a lot of it himself. But when it came time to run a staff of 40 people who were out on the street, I didn't know if he'd be a good manager or not. It wasn't something he was really tested on.

And in every one of my reports, every one of the vice presidents that reported to me, I could say the same thing. I knew that their job was going to change. And I was very lucky in that several, more than half of the people I brought on, actually grew with the job and changed at Market Watch. And they were able to make it to the next level.

But there were two or three of the eight or so that didn't. And I stuck with them too long, hoping they would. It was a mistake. It was a mistake for them and for me, because it got increasingly frustrating: They weren't doing things they liked to do, so they'd revert back to what they did like to do.

And it really wasn't helping the company. It was keeping the company back because it needed managers with vision and with leadership, and that was not a set of skills that they necessarily had.

And then, as hard as that decision is to make, you're doing yourself a favor and you're doing them a favor if you do it sooner rather than later. Because they succeeded at what they did, and it's better for them to leave a position where they succeeded and move on to another one where they can succeed than stay in one that's going to cause them not to succeed. You actually lose the value of having succeeded up to that point.

It's a painful thing, and it's particularly painful if you're close to the people and you were together from the beginning, but you need to find a way to do it.

Organizations change over time — employees who were once valuable, may not be the best fit now.

Larry Kramer
Former President, CBS Digital Media

Larry Kramer is an adjunct professor of Media Management at the Newhouse School of Public Communications at Syracuse University.

From 2008-2010, he was Senior Advisor at Polaris Venture Partners, a national venture capital firm with over \$3 billion under management that invests in seed, early-stage, and growth equity businesses.

He was President of CBS Digital Media in 2005 and 2006, and served as an adviser to CBS during 2007. During the decade prior to joining CBS, Larry was also the CEO and founder of MarketWatch, Inc., which he took public in 1999.

He has more than 20 years of experience as a reporter and editor at The Washington Post, where he rose to Assistant Managing Editor, and the San Francisco Examiner, where he served as Executive Editor. Larry is the recipient of several awards for reporting, including the National Press Club Award and the Gerald Loeb award for business reporting.

He has been a guest lecturer at various universities, including Harvard Business School and University of Pennsylvania, and served a two-year term as a judge for the Pulitzer Prizes. Larry holds an MBA from Harvard University and a bachelor's degree in journalism and political science from Syracuse University.

Know when you cannot dismiss an employee

In many countries, there are certain behaviors for which a company cannot legally dismiss an employee. These vary nation by nation, but examples may include employee behaviors such as:

- Filing a workers' compensation claim
- "Blowing the whistle" on illegal behavior on the company's part
- Reporting or complaining about company violations of occupational safety and health laws
- Exercising the right to belong or not to belong to a union
- Taking time off from work to perform a civic duty, such as serve on a jury or vote
- Taking a day off from work that was available under federal or state law

Again, ask your internal or external counsel to advise you regarding these regulations. Note that some laws—such as those pertaining to occupational health and safety—can vary state by state, or from country to country. The key point? The rules are complicated. Familiarize yourself with them—but don't try to interpret them on your own.

Activity: Acting on performance problems

Which employee behaviors warrant immediate dismissal, documentation, or no action?

Decide whether or not you can immediately dismiss the employee, or whether you should document the behavior instead. Base your decision on U.S. employment laws and policies.

Despite being on the team for over a year, Abdel still relies on his co-workers for help in completing his job duties. Team members are frustrated.

☐ Dismiss

Not the best choice. "Document" is the correct choice. Explain to Abdel that he needs to begin relying more on himself to handle his job responsibilities, and document the conversation.

☐ Cannot dismiss

Not the best choice. "Document" is the correct choice. Explain to Abdel that he needs to begin relying more on himself to handle his job responsibilities, and document the conversation.

☐ Document

Correct choice. Explain to Abdel that he needs to begin relying more on himself to handle his job responsibilities, and document the conversation.

Decide whether or not you can immediately dismiss the employee, or whether you should document the behavior instead. Base your decision on U.S. employment laws and policies.

Jan works in a medical lab with two other technicians. Recently, she did not follow company procedure when disposing of bio-hazardous waste.

☐ Dismiss

Correct choice. Because Jan is endangering the health and safety of her team members, she should be dismissed.

☐ Cannot dismiss

Not the best choice. "Dismiss" is the correct choice. Because Jan is endangering the health and safety of her team members, she should be dismissed.

☐ Document

Not the best choice. "Dismiss" is the correct choice. Because Jan is endangering the health and safety of her team members, she should be dismissed.

Decide whether or not you can immediately dismiss the employee, or whether you should document the behavior instead. Base your decision on U.S. employment laws and policies.

Hans files a worker's compensation claim after being injured on the job.

☐ Dismiss

Not the best choice. "Cannot dismiss" is the correct choice. Hans has the legal right to file a worker's compensation claim without being dismissed as retaliation.

☐ Cannot dismiss

Correct choice. Hans has the legal right to file a worker's compensation claim without being dismissed as retaliation.

☐ Document

Not the best choice. "Cannot dismiss" is the correct choice. Hans has the legal right to file a worker's compensation claim without being dismissed as retaliation.

Decide whether or not you can immediately dismiss the employee, or whether you should document the behavior instead. Base your decision on U.S. employment laws and policies.

Quan's team members report that his cynical attitude and sarcastic remarks are discouraging to the team.

☐ Dismiss

Not the best choice. "Document" is the correct choice. You must bring Quan's behavior to his attention and give him a chance to correct it before you can dismiss him.

☐ Cannot dismiss

Not the best choice. "Document" is the correct choice. You must bring Quan's behavior to his attention and give him a chance to correct it before you can dismiss him.

☐ Document

Correct choice. You must bring Quan's behavior to his attention and give him a chance to correct it before you can dismiss him.

Decide whether or not you can immediately dismiss the employee, or whether you should document the behavior instead. Base your decision on U.S. employment laws and policies.

Sienna often calls in sick on Fridays. She is about to exceed her allotment of sick days.

☐ Dismiss

Not the best choice. "Document" is the correct choice. Although the pattern of her absences is suspicious, she has not yet exceeded her allotment of sick days. Talk with her about it and document the conversation.

☐ Cannot dismiss

Not the best choice. "Document" is the correct choice. Although the pattern of her absences is suspicious, she has not yet exceeded her allotment of sick days. Talk with her about it and document the conversation.

☐ Document

Correct choice. Although the pattern of her absences is suspicious, she has not yet exceeded her allotment of sick days. Talk with her about it and document the conversation.

Decide whether or not you can immediately dismiss the employee, or whether you should document the behavior instead. Base your decision on U.S. employment laws and policies.

Your team's productivity has suffered severely because Rita has missed six weeks of work to serve on a jury in a high-profile murder case.

☐ Dismiss

Not the best choice. "Cannot dismiss" is the correct choice. Taking time off from work to perform a civic duty is not legal grounds for dismissal.

☐ Cannot dismiss

Correct choice. Taking time off from work to perform a civic duty is not legal grounds for dismissal.

☐ Document

Not the best choice. "Cannot dismiss" is the correct choice. Taking time off from work to perform a civic duty is not legal grounds for dismissal.

Decide whether or not you can immediately dismiss the employee, or whether you should document the behavior instead. Base your decision on U.S. employment laws and policies.

Donald's expense report includes a receipt for "Marketing materials" for \$500. In an attempt to better categorize the expense you call the seller for more information, and discover the purchase was actually the new leather jacket Donald has been wearing.

☐ Dismiss

Correct choice. Making false claims on sales or expense reports is legal grounds for dismissal.

☐ Cannot dismiss

Not the best choice. "Dismiss" is the correct choice. Making false claims on sales or expense reports is legal grounds for dismissal.

☐ Document

Not the best choice. "Dismiss" is the correct choice. Making false claims on sales or expense reports is legal grounds for dismissal.

Decide whether or not you can immediately dismiss the employee, or whether you should document the behavior instead. Base your decision on U.S. employment laws and policies.

Co-workers have reported that they have overheard Bill placing bets on professional sporting events every Friday afternoon. The next Friday afternoon you surreptitiously observe Bill and are able to verify the reported behavior.

☐ Dismiss

Correct choice. Gambling on the job is legal grounds for dismissal.

☐ Cannot dismiss

Not the best choice. "Dismiss" is the correct choice. Gambling on the job is legal grounds for dismissal.

☐ Document

Not the best choice. "Dismiss" is the correct choice. Gambling on the job is legal grounds for dismissal.

Pay special attention to discrimination laws

Various countries have established federal- and state-level laws against dismissing employees based on their:

- Race
- Gender
- Sexual orientation
- Marital status
- Physical or mental disability
- Age
- Reproductive status (that is, whether they're pregnant or plan to become pregnant)

Laws and the court decisions that interpret them can be tricky to apply to particular situations. However, it's essential that you pay scrupulous attention to how employment discrimination is defined in your situation before deciding whether to dismiss someone. That's because:

- Discrimination is the most often cited reason for wrongful-discharge claims
- Employment discrimination laws are complicated and can change quickly

Consulting an experienced lawyer who specializes in employment law is the best way to ensure that you don't unwittingly discriminate against a worker by dismissing him or her.

Familiarize yourself with company procedures

Whether you work for a large or small company or head your own firm, a carelessly handled dismissal can result in wrongful-dismissal or discrimination lawsuits. Thus you'll need to pay close attention to federal and state laws, and industry policies governing dismissal decisions and implementation. These may include federal, state, and industry regulations.

- **If you work in a large company:** Thoroughly familiarize yourself with your company's established procedures for dismissing an employee (including how to document problem performance or behavior, what to say to the affected employee, when to say it, and so forth). Learn about applicable federal, state, or employment-status regulations as well (such as laws regarding dismissal of exempt versus nonexempt personnel or union versus nonunion employees).

The human resources and legal departments will have clear policies and procedures in place regarding dismissing an employee. Your supervisor may also provide you with helpful documents—which may even include a script specifying exactly what to say when you break the news to the affected employee.

Whatever the case, be sure to follow these procedures carefully to avoid a mishandled dismissal. Let your company's legal counsel guide you step-by-step through the process.

- **If you work in a small company that lacks human resource and legal departments:** In this case, the firm's upper management may have consulted external counsel for guidance on dismissal decisions and implementation. Follow counsel's instructions precisely.
- **If you own a small entrepreneurial firm:** If you don't have an attorney on staff, consult external legal counsel regarding dismissal laws and procedures and follow his or her advice. If you do have an attorney on staff, follow his or her guidance every step of the way.

Caution: Employment law is a specialized field. Be sure that the attorney advising you is an experienced practitioner in this area.

Know the downside of dismissals



When do you decide that it's time to dismiss an employee? In some cases, you may be justified in dismissing a worker immediately—for example, if he or she steals from the company or abuses company confidentiality.

However, in cases of poor work performance or behavior problems that stop short of being downright illegal, experts suggest using a dismissal as a last resort, due to the following:

- Replacing dismissed employees can get expensive, after you've totaled up advertising, recruiting, screening, and hiring costs. Indeed, some analysts say that replacing a dismissed employee can end up costing roughly *twice* the salary that the position pays.
- Dismissals can create unease and resentment among remaining team members who question the rationale behind the decision or who consider the dismissed employee their friend.
- Dismissals can carry the risk of legal action from the affected employee. Even if the company handled the dismissal in a perfectly legal manner, responding to a lawsuit can sap a company's energy and financial resources.

Evaluate alternatives

It's worth exploring alternatives to dismissals if they apply, including:

- **Training** designed to strengthen the employee's skills
- **Counseling or coaching** to clarify performance or behavior expectations and pinpoint areas for improvement
- **Reassigning** the employee to a position that provides a better match between his or her talents and the company's or department's needs
- **Warnings** that increase in severity and that get documented in the employee's personnel file
- **Putting the employee on probation;** that is, temporarily suspending some workplace benefits (such as flextime or the opportunity to work from home) until the employee improves his or her performance or behavior
- **Suspending the employee,** giving him or her time off (paid or unpaid) to formulate a revised work plan or set new goals
- **Postponing a pay raise** until the employee shows improvement
- **Demoting the employee** to a position with fewer responsibilities and less pay

Select the right alternative

To select the right alternative to dismissal, decide whether the employee's problem stems primarily from inadequate performance or inappropriate behavior.

- **Inadequate performance** includes problems such as missed production targets, consistently botched client presentations, and so forth. In this case, you'd be more likely to try alternatives such as training or reassignment.
- **Inappropriate behavior** may take the form of destructive gossiping, chronic blaming of others, a negative or listless demeanor, inappropriate humor, or chronic lateness and constantly missed deadlines. In this case, you'd be more likely to try alternatives such as counseling or coaching.

In considering inappropriate behavior, focus on conduct that is clearly disruptive to team goals and productivity (not merely annoying to a few of the employee's colleagues) or has a demonstrable impact on other employees.

Prepare for the dismissal meeting

At some point in your career, you may have to dismiss an employee. First, make sure you've done all the background work:

- Processing the difficult emotions associated with this decision
- Consulting your company's legal and human resources departments regarding the dismissal regulations unique to your situation
- Documenting the employee's performance or behavior problems and the steps you've taken to help him or her improve

You want to feel confident that dismissing the person is the right thing to do—for him or her, for your team, and for your company. The *really* tough part of the dismissal will be breaking the news to the affected employee.

It's not surprising that so many managers find this task so difficult. Unfortunately, some companies have suffered severe repercussions after dismissing someone, in the form of any or all of the following actions on the part of the affected individual:

- Angry or destructive outbursts
- Threatening letters or phone calls
- Sabotaging of company assets
- Wrongful-dismissal lawsuits or threats of lawsuits

By handling the dismissal thoughtfully, you can do your best to ensure that none of these things happen. Certainly there is no easy way to implement a dismissal. However, you can mitigate the amount of pain the affected employee will experience and protect your company from legal, or other kinds of retribution by being careful about *when*, *where*, and *how* you dismiss an employee, and about *what* you say during this critical discussion.



When to schedule the meeting

Some experts advise against dismissing an employee on a Friday afternoon. A dismissal just before a weekend *may* cause the person to stew over the weekend and possibly ponder a lawsuit or think about returning to the office with disruptive intentions.

Consider scheduling a meeting on a Monday afternoon. That way:

- He or she has all week to start looking for another job
- You'll minimize the impact of the dismissal on other employees

Whichever day you choose to carry out the dismissal, you'll want to make sure that that day is the person's final day on the job.

Under some circumstances, you may want to allow time for good-byes. However, don't let the dismissed employee mix with other workers for too long unless you can trust that he or she is not going to express extreme criticism of the action to other employees. If you do allow good-byes, identify whom the employee is allowed to meet with and for how long.

Where to hold the meeting

Meet with the employee in a place that keeps both of you out of plain sight, such as a windowless conference room or office, or some other space that gives you complete privacy. Also, arrange for a path to and from the meeting to avoid areas that are likely to be populated by curious coworkers.

Why so much secrecy? Keeping the meeting private shows basic respect for the affected employee. No one wants to know that his or her coworkers are overhearing or seeing what may feel like a humiliating experience.

Also, if other employees witness or overhear what's going on, they may develop a "siege mentality." That is, without much more information than glum or tense faces or voices, they may worry that they're one misstep away from being dismissed themselves or feel protective toward the affected employee (especially if they consider him or her a friend).

How to handle the meeting

To handle the dismissal as effectively as possible, follow these guidelines:

- **Don't go it alone.** Always make sure someone from human resources is present at the meeting. He or she can:
 - Serve as an impassive voice if you or the employee becomes overly emotional during the meeting
 - Answer the inevitable questions regarding pensions, insurance, and severance pay
 - Suggest ways the employee can tell his or her spouse or partner about the dismissal
 - Act as a buffer in case of an emotional or physical outburst from the employee
 - Serve as a witness to the conversation in case a dispute emerges later about what you said
- **Keep it short.** Get the meeting over with as quickly as possible. The more concisely you convey the news to the employee, the less prone you'll be to say something that might expose your company to liability. Keep the meeting to five minutes—ten minutes at the most.
- **Be dispassionate, direct, and focused.** Convey a sense of serious purpose and resoluteness. To avoid planting the seeds for legal problems later, resist the temptation to apologize or to reconsider your decision in light of protests from the employee. Don't try to sugarcoat your message or give the impression that your decision can be negotiated.

Instead, be as unemotional and resolute as possible. Make sure the person knows that your decision is final.

Activity: Where did this manager go wrong?

A lot can go wrong in a dismissal meeting if you don't prepare. Practice avoiding some common pitfalls.

After ninety days of coaching and training Carl to address performance problems, Rebecca made the difficult decision to dismiss Carl. Following the dismissal meeting, he slowly packed up his belongings while he vented his frustration and dismay to various members of the team. The next day, Rebecca's team members seemed discouraged and angry.

What should Rebecca have done differently to avoid this situation?

- ☐ Dismissed Carl on a Friday afternoon, when fewer people were around
Not the best choice. Dismissing Carl on a Friday may not have prevented him from talking to fellow team members as he packed his desk. It would also have given him time to stew about his situation over the weekend and possibly consider returning to the office on Monday with disruptive intentions—which would have created another problem.
- ☐ Asked Carl not to speak to the team members after the dismissal meeting
Not the best choice. Under some circumstances, a manager should allow time for the dismissed employee to say good-bye to coworkers.
- ☐ Identified whom Carl was allowed to say goodbye to and for how long
Correct choice. Rebecca should have set clear expectations on how long and to whom Carl could say goodbye.

In a nearby conference room, Nick dismissed Sabine for abusing company leave time despite several warnings. He displayed the prescribed mix of directness and empathy and kept the conversation short. Yet Sabine became very emotional and told Nick about problems in her

private life that had contributed to her excessive absences. By the end of the meeting, she seemed so distraught that Nick worried how her demeanor would affect other team members who might encounter her as she left the meeting.

What should Nick have done to prevent this situation?

- ☐ Held the meeting in a room well away from areas most populated by co-workers

Correct choice. Having the meeting in a private, out-of-the-way place is a good way to reduce the impact an upset employee would have on other team members who might encounter him or her after the dismissal meeting.

- ☐ Apologized to Sabine, to soften the impact of the dismissal

Not the best choice. Apologizing could have made Sabine think that Nick's decision was negotiable. And a dismissal, once decided, should not be negotiable.

- ☐ Allowed the meeting to go on long enough for Sabine to collect herself and get her emotions under control

Not the best choice. It's best to keep the meeting as short and concise as possible—five to ten minutes at the most. By letting a dismissal meeting go longer, you risk saying something that might expose your company to liability.

Key Idea: What to say in the meeting

Key Idea

The words and tone of voice you use in a dismissal meeting are crucial. Strive to apply the following practices:

- **First, explain in general terms that the job has not worked out.** If you choose to explain in more detail, do so in an objective, neutral tone that doesn't make the employee feel personally attacked.

Examples might include the following: "We talked about your not meeting the performance goals for your role six months ago. You still haven't met them." "You've received coaching and counseling to work on your critical attitude toward colleagues, but your behavior hasn't changed."

By citing objective reasons in a neutral tone, you'll lessen the chances that the person will sue or bad-mouth you or the company—something that can come back to haunt you during acute labor shortages.

- **Second, strike a balance between being concise and direct, and being empathetic.** That is, do acknowledge that losing a job is likely to have a profound impact on the person's life; for example, "I know this is hard for you." After delivering the news, give the person time to vent his or her anger, confusion, or bitterness for a few moments. Empathy and a chance to process emotions can help people bear difficult news.

- **Third, deliver the news in a way that preserves the person's dignity.** This includes making arrangements for the employee to remove his or her personal effects from the office during off-hours or over the weekend (with monitoring from someone in the company). Employees who are made to feel humiliated before colleagues or disrespected and personally attacked during a dismissal will be more likely to feel angry and thus desire retribution.
- **Fourth, consider offering as generous a severance package as possible.** A generous severance package can help to salve any concerns about future security that the employee might feel. (You'll need to consult with your boss to see what kinds of package budgets might allow.)

What do you say when you dismiss someone? Handle the conversation well by following these four practices.

What not to say in the meeting

The specific language you use while dismissing an employee can play a major role in whether the person decides to sue. Therefore, language merits a focused discussion here.

Use the following "don'ts" as guidelines during a dismissal:

- Don't side with the worker or foster an "us against them" mindset to ease your own discomfort. For example, don't say, "Personally, I don't think that letting you go is the right decision."
- Don't tell a dismissed employee that the dismissal is part of a layoff. This "white lie" could come back to haunt you in the form of a discrimination suit if you hire someone new to fill the vacated position—and the former employee finds out about it through his or her ex-coworkers.
- Don't say anything like, "We're after a more dynamic, aggressive workforce," "You just don't fit into the team," "We need people with fewer family commitments who can see clients after normal work hours," or "We need to project a high-energy image." These kinds of statements could give the impression that the employee is being dismissed for discriminatory reasons, such as being too old, foreign, married, and so forth.
- Don't use humor or try to make light of the situation. You'll only make the meeting even more painfully awkward. Worse, you may make the person feel laughed at or humiliated—and therefore more motivated to sue for wrongful dismissal.
- Don't threaten an employee who implies that he or she may challenge the dismissal; for example, by implying that you'll withhold the person's final paycheck unless he or she agrees not to sue. These forms of persuasion are considered illegal coercion and may come back to haunt you in court.

Learn from the dismissal meeting

No matter how difficult a dismissal meeting may be, it may yield information that can help you make important improvements in your group.

But to gain that information, you'll need to provide opportunities for the dismissed employee to communicate his or her opinions, and then listen to them objectively.

For example, if the employee has numerous thoughts about what went wrong:

- Encourage him or her to write them down in a letter or memo and to share them during an exit interview. With nothing at stake any longer, the former employee may offer candid opinions of oppressive policies or other problems that you can use later to identify and implement needed changes.

At the very least, by making the individual feel that his or her views are important enough to take seriously, you'll help ease the pain of the situation and shore up the person's self-esteem.

- Be sure to listen as well as talk during the dismissal meeting. A person who is being dismissed may speak more openly about workplace problems than other employees will.

By reviewing parting comments (even if they're barbs) objectively, you may be able to identify weaknesses in your group that you can correct. Any changes you make may also help you avoid having to dismiss other workers in the future.

Leadership Insight: Be candid

Earlier in my career I was put in a leadership position over a group that really needed substantial improvement and a real overhaul.

Quite frankly, when I took that role, I thought it would be a piece of cake. I thought I would go in; it was clear to me what was needed to happen in that group. It was clear to me where the performance wasn't happening, and it was also clear to me where I thought I could take that group in terms of adding value to the company.

It's one thing to think that way when you approach a job, but it's an entirely different thing when you get on the job. What I learned about taking over that group was that I had to listen and I had to engage each and every member of that team. I had to understand who they were, what they were doing, why they did what they did. And I had to make tough assessments of their ability to move forward with the strategies, goals, and objectives that I needed to set.

That process humbled me. It taught me that it's really easy to have answers before you get into a situation, but much harder to work through with a group of people what they needed to do to improve their performance.

I had to take seven or eight people out of their jobs that first year. But the process of doing that, the process of working with them and why they needed to leave the company, and why I was moving the group in the direction that I needed to move it in and helping them think through their next roles, whether they were inside the company or outside the company, taught me some very, very important lessons in leadership — candor, always work with people to make sure that they feel treated fairly. Give people a chance to articulate their perspective. Give people a chance for you to understand why they do things.

And at the end, be compassionate and gentle and fair with people as you try to move them to a different situation. It is something that I'll never, ever forget and it was a great lesson in leadership.

If letting employees go is the only way to solve an issue, it is important to be open and honest.

Larry Kaye**Senior Vice President of Leadership & Organization Development,
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As Senior Vice President of Leadership & Organization Development for Fidelity Human Resources, Larry Kaye leads the Talent Management Center of Excellence. Larry is responsible for the design, execution, and delivery of leadership development, talent, and succession planning and performance management across Fidelity Investments.

In his earlier career at Fidelity, he was Senior Vice President of Client Readiness at Fidelity Human Resource Services (FHRS), preparing major corporate clients for conversion to Fidelity's suite of HR outsourcing systems and services.

Larry also previously worked for Cap-Gemini Ernst & Young, designing and delivering organizational effectiveness programs for global clients. He has worked as an independent consultant with clients including Johnson & Johnson, American Airlines, and American Express.

Larry holds a Bachelor of Arts and Master of Arts in political science and a doctorate in sociology, all from Brandeis University.

Review the employment contract



One risk in dismissing an employee is that he or she will use the knowledge and contacts gained at your firm to start a competing business or work for a competitor. To protect themselves from these possibilities, many companies ask dismissed workers to sign noncompete and nondisclosure agreements.

In some areas, the law also requires employers to provide dismissed workers with what are called service letters, which describe their work histories and explain the reason for their dismissal.

And union members may have a collective-bargaining agreement that may specify terms or processes for termination of their employment with the company.

With all such agreements, you should discuss the terms of the document face-to-face with the affected employee, either during the employment-termination conversation or immediately afterward.

- **Noncompete agreements.** Through these agreements, former employees promise not to work for a direct competitor for a specific length of time. Some companies ask employees to sign noncompete agreements upon hiring; others do so upon termination of employment. Your firm may have a hard time enforcing such an agreement if the covenant:
 - Specifies too lengthy a time period
 - Covers too wide a geographic area
 - Is overly broad in the types of business it prohibits

The terms of noncompete agreements vary from country to country and industry to industry, and can change even within countries and industries whenever workplace realities change.

For example, in the United States, many noncompete agreements used to specify a two-year period during which a dismissed employee could not compete directly against his or her former firm. That period has shortened considerably as companies realize that two years away from a particular job may make a worker stale and unemployable, and that the information an employee carries away from a company loses its value over a shorter period.

Check with your company's human resource and legal departments to see what they recommend.

- **Nondisclosure agreements.** Through these agreements, dismissed employees promise not to use sensitive information about your company to their advantage. Again, your company may ask employees to sign such a document upon hiring, or upon termination of employment. Sensitive information may include:
 - Trade secrets that give your company a competitive advantage, such as a chemical formula, special technique, recipe, or software program
 - Other information such as customer lists, plans to sell the company, or insider knowledge about a company's plans to go public

Such agreements can vary widely in the kind of information covered and the length of time during which the dismissed employee must agree not to share the information.

As with noncompete agreements, consult your human resource and legal departments for guidance.

- **Service letters.** These also vary widely depending on where your company is operating.

In the United States, for example, each state has different laws regarding whether employers must provide service letters to former employees.

Your firm's human resource and legal departments can tell you whether the company must provide such a letter and, if so, what topics it must cover. If a service letter is required, you may need to provide specific information about the former employee's work history and performance or behavior problems.

- **Collective-bargaining agreements.** These agreements apply when you need to dismiss a union member. As with the other kinds of agreements, consult your human resources and legal departments to make sure that you are honoring any employment-termination processes or terms stipulated in a collective-bargaining agreement.

Document the terms of the dismissal

After you've dismissed an employee, it's a good idea to document all the details pertaining to the end of the relationship.

You or your company's human resource department can do this through what's called a separation letter addressed to the employee and delivered to him or her during an exit interview. The letter should clarify when the worker's employment ended. Depending on the circumstances of the situation, it may also describe:

- Severance benefits, including what kinds and when they will be provided
- Final pay, including any bonuses due and accrued benefits, such as vacation time
- Health-insurance coverage or conversion (for example, COBRA in the United States)
- Outplacement help
- Treatment of vested stock options
- Any noncompete or nondisclosure agreements
- Any terms stipulated in a collective-bargaining agreement
- Any agreements you've made about providing the person with a service letter or references
- Any release the worker has agreed to—that is, a promise not to sue the company in exchange for special benefits, such as additional money

If the dismissed employee is in what's known as a protected class—such as a minority, disabled, female, or older worker—and he or she has agreed to sign a release, laws regarding the acceptance of the separation letter become more complicated.

In this case, you or your company should consult legal counsel regarding exactly how to word the separation letter.

Activity: Is this separation letter complete?

Test yourself on whether you can identify key components of a separation letter.

Read the separation letter to identify which terms of dismissal are missing or incomplete.

Dear Mr. Wallace-

Following our meeting of January 12, 2007, this letter confirms the details of your departure from ACME Hat Rack.

As agreed, upon signing this letter, you will receive a severance payment in the amount of \$4,650. In addition, you will receive your regular salary in the amount of \$1,204.50 for work completed through your termination date. Therefore, the total amount of \$5,854.50 will be paid to you on your next regular paycheck.

Enclosed is a copy of the agreement you signed at the beginning of your employment with ACME, which states that you will not work for an industry competitor for one year following your separation from the company.

As agreed, ACME will supply future employers only with information about the length and dates of your employment as a reference. We will also provide you with any outplacement help you might need.

Sincerely,

James Day

Which terms of dismissal are missing from this letter?

- ☐ Severance benefits and noncompete or nondisclosure agreements
Not the best choice. The letter does specify these benefits and agreements.
- ☐ Agreements about references
Not the best choice. The letter does specify this.
- ☐ Outplacement help and health-insurance coverage
Correct choice. Though the letter mentions outplacement help, it's vague. It doesn't specify what the help consists of or how the employee can access it. It also does not specify health-insurance coverage.

Avoid damaging the former employee's reputation

Once the dismissed employee has left the company, take care not to do or say anything that anyone could perceive as damaging to the former employee's reputation or chances of finding another job.

Perceived damaging comments can take the shape of informal statements you make to other people about the former employee or more formal references you give as the person begins interviewing with other employers.

- **Damaging statements.** Uttering something damning about a former worker—even if it's true or offered in the most casual setting—can have the following consequences:
 - Your remaining team members may perceive your behavior as callous and begin questioning how much you care about *them*.
 - The dismissed employee may find out about your comment and bring defamation charges against you or your company.

In particular, beware of saying anything that implies that the dismissed person:

- Committed a crime
- Was incompetent at his or her job
- Abused drugs or alcohol
- Acted in some other way that suggests he or she is unfit for a particular job

These statements become problematic if the former employee sues your company for wrongful discharge or defamation. Moreover, some information is not legally permissible to reveal—such as the fact that a former employee has an arrest record.

The best policy is simply not to say anything negative about a former employee.

- **References.** If the former employee asks you for a reference and you feel you have little or nothing good to say about the person, stick to the bare essentials.

Indeed, your company may have a clear policy specifying what information you can provide in a reference. Check with your human resource and legal departments to familiarize yourself with your company's references policies.

Communicate the dismissal



You'll need to notify workers as soon as possible after someone has been dismissed. Pretending that nothing has happened will only fuel gossip or concerns among remaining group members that they'll be dismissed next.

The best way to do this is to hold a team meeting in which you do the following:

- Concisely explain what has happened. For example, you might say, "Elsa was dismissed yesterday because of chronic lateness" or "Toby was dismissed after many months of unsuccessful effort to improve his work performance." Do not go into detail or elaborate on your decision. Also, be sure not to criticize the former employee.
- Reassure team members that the dismissal had nothing to do with their own performance or behavior.
- Acknowledge that this is a difficult time for the entire department and that you understand people will be feeling uncomfortable about it.
- Explain what your plans are for seeking a replacement and whether the team's focus will change because of the employee's departure.

After the meeting, schedule time with each person to listen to his or her concerns and help them process their feelings about the change. Ask what you can do to help people navigate through this difficult time.

Activity: Are you communicating a dismissal effectively?

How you communicate a dismissal to the rest of your team can make a big difference in the team's performance later.

You've just dismissed Tobias after several months of trying to help him bring his performance up to par. You know you need to inform your team about the situation. So, you schedule a team meeting for this purpose. Which of the following is *not* something you might say at the meeting?

- ☐ "We're going to need to adjust the workload in the team until we can find a replacement. Later today, I'll meet with you each to come up with ideas for how to redistribute work."

Not the best choice. This *is* something you might say at the meeting.

- ☐ "I realize that this is a painful time for all of us. We all liked Tobias, and I know that many of you consider him a friend. I understand that this will be difficult for a while."

Not the best choice. This *is* something you might say at the meeting.

☐ "Tobias was dismissed yesterday after many months of unsuccessful attempts to improve his ability to close sales. He just did not have the skills required for the role, and that's what we really need in this position."

Correct choice. You have imparted too much information about why Tobias was dismissed, and may have come across as critical of Tobias.

☐ "I want to reassure you that my decision to dismiss Tobias had nothing to do with the rest of the team's performance. Everyone else in the department has been performing up to standards, so no one needs to worry."

Not the best choice. This *is* something you might say at the meeting.

Key Idea: Redistribute work and close skill gaps

Key Idea

After you've dismissed an employee, talk with your team about how best to redistribute the workload. Reassign projects and tasks in a way that's realistic, fair, and manageable for the remaining team members and that enables them to remain productive and positive.

Equally important, you'll need to decide what to do about the former employee's formal *and* informal skills. If you aren't planning to replace the former employee, or if you think it will take a while to recruit someone new, you'll need to ensure that the dismissed employee's skills are covered by other individuals in the group.

Talk about these skill gaps with your team and work out ways to get them covered by the most appropriate individuals. With formal technical skills, you may need to provide training for certain employees. With less formal, social-dynamic skills, you may simply invite people to take responsibility for representing those skills in the group.

How can you fill the gap once someone has been dismissed?

Further your personal and professional growth



As with any new and difficult experience, it's valuable to spend some time afterward assessing what you've learned and achieved. Dismissing someone, though highly stressful, offers important opportunities for personal and professional growth. For example, you learn:

- How to manage your own and others' emotions
- How to master challenging new tasks
- What your strengths as a manager are
- Where you can improve your skills

After making it through a dismissal, you may discover that you learned far more than you expected—and that you handled the situation more skillfully than you ever anticipated.

And if you feel dissatisfied with the way you dealt with any aspect of the process, you can objectively examine what went wrong and then use the resulting insights to do better next time.

In short, navigating through an employee dismissal gives you valuable new opportunities to enhance your knowledge, your managerial skills, and your personal and professional integrity.

Gain a broader view

Dismissing employees teaches managers to broaden their view of this difficult, complex task in the following ways:

1. **Time horizon.** Before experiencing a dismissal for the first time, many team leaders see the task from a narrow perspective; that is, they focus only on the moment in which the actual dismissal is implemented.

But dismissing an employee has a much longer time horizon than that. You need to take important steps and make vital decisions before, during, and after the "main event."

For example, you need to identify when it's appropriate and legal to dismiss a problem worker, how to do so without incurring a lawsuit, and how to rebuild your team afterward.

Thus the act of dismissing someone is just one narrow portion of the spectrum of decisions and actions the process entails.

2. **People horizon.** As with time horizon, managers who implement a dismissal for the first time also gain a broader "people horizon."

That is, they realize that they must not only manage the impact of a dismissal on directly affected employees; they must also manage the impact on themselves, the rest of their team, and the company as a whole.

Make it better next time

If you're dissatisfied with any aspect of your leadership before, during, and after a dismissal, you can learn from the experience and put better strategies and systems in place for next time.

Sometimes, dismissing employees stems from poor planning and ineffective decision making that occurred long before the employee dismissal.

Many experts maintain that "hiring smart" is *the* best way to avoid dismissals later. Hiring for attitude and social-dynamic ability as well as more formal skills can help you build a high-performing and stable team. And "strategic headcount planning" helps you expand and enrich your group wisely.

Preserve your organization's integrity

By skillfully implementing a dismissal, you help to preserve your organization's and team's integrity. That's because you sever a relationship between your company and an individual who simply is not contributing to the firm's success.

Though upsetting, dismissing a problem performer can help your team to refocus on the work at hand. Indeed, many managers and teams feel relieved to finally say goodbye to an individual who has been draining the team's energy and spawning resentment or frustration throughout the group.

Handled skillfully, a dismissal can help you forge a stronger self, a stronger team, and a stronger company.

Key Terms

Blacklisting: Preventing a former employee from finding another job by making critical or defamatory statements about him or her to potential employers who call for a reference.

Demotion: Moving a problem performer to a role that requires fewer skills and that pays less, to create a better match between the person and the job.

Discrimination: Dismissing an employee on the basis of his or her race, sex, age, marital status, sexual orientation, reproductive status (whether an employee is pregnant or plans to become pregnant), physical or mental disability, ethnic background, and other distinguishing characteristics that fall under the protection of federal or state law or company policy.

Dismissal: The termination of an individual's employment with a company owing to inadequacies or problems with his or her performance or behavior.

Exempt employees: Salaried workers who are exempt from being paid overtime; companies and federal and state laws distinguish between exempt and nonexempt employees in determining dismissal policies.

Exit interview: A meeting during which a dismissed employee candidly shares his or her concerns or complaints with a human resources staff member; can be used to identify areas for improvement within the company.

Noncompete agreement: A contract by which a former employee agrees not to work for a competing company for a specific period of time after leaving his or her current firm.

Nondisclosure agreement: A contract by which a former employee agrees not to use sensitive information (such as trade secrets or stock information) to his or her advantage after leaving the current employer.

Nonexempt employees: Hourly workers who may be paid overtime; companies and federal and state laws distinguish between exempt and nonexempt employees in determining dismissal policies.

Probation: Temporary suspension of workplace privileges (such as flextime or ability to work from home) for a problem employee; during the probation period, the employee is expected to work on improving his or her performance or behavior.

Severance: A package consisting of pay and possibly benefits extended to dismissed employees to ease their financial hardship or to gain their agreement not to sue the company for wrongful dismissal.

Support network: The family, friends, colleagues, and helping professionals who can assist managers in navigating through a dismissal; support-network members help by listening and by offering advice and moral support.

Suspension: A temporary paid or unpaid leave for a problem employee during which the person is expected to formulate new goals.

Termination: A synonym for *dismissal*.

Wrongful-dismissal suit: A lawsuit in which a dismissed employee claims that he or she was illegally let go by his or her former employer.

Frequently Asked Questions

What documentation am I required to give the dismissed employee?

Consult legal counsel to confirm what documentation you should provide. In general, documentation should be as brief as possible, but may include details of continued benefits, severance, effective dates of termination and pay, and, possibly, a nondisclosure or noncompete agreement. The documentation should not contain explanations of the reasons for the dismissal.

If I have to dismiss someone, can I get someone else to deliver the news, or can I do it by e-mail?

The short answer is: Delivering this type of message, in person, is part of your job. As painful as delivering hard news is, it's much better to do it yourself, and in person. That's because people form relationships with their managers much more so than with their companies. By delivering hard news in person, you honor that relationship and the other person's humanity, and you help him or her achieve closure on the relationship. With closure, people find it much easier to move on.

Should I explain the rationale behind a dismissal?

A dismissal should never come as a surprise to the affected employee. If it does, the manager involved has not sufficiently communicated job expectations with the worker. If the employee wants to know why you're dismissing him or her, it's appropriate to say something like, "Here's the goal we agreed on six months ago. We discussed ways you would try to reach that goal. But you have not performed as we agreed." By providing a brief, honest response, you help the person achieve closure.

After dismissing someone, how quickly should I focus that person's attention on the future?

When people are dismissed, they often need time to process their emotions. When you deliver the news, give the affected employee time to vent and then to pull him or herself together emotionally. Then direct his or her attention to next steps. For some individuals, a difficult conversation is as much about feelings as it is about what's happening. If you ignore the person's emotions, you'll make it that much more difficult for the individual to get closure on the situation and move on. So, let people express themselves, but don't get drawn into debating the merits of your decision.

With a dismissal, should I usher people out immediately after their exit interview, or should I give them time to say goodbye to coworkers?

It's most appropriate to escort the person out of the building as soon as possible after termination of his or her employment with the company. He or she may return later for the scheduled exit interview.

What should I do about e-mail and phone messages for employees who have been dismissed?

If you're going to cancel the affected employee's e-mail accounts and voice mail immediately after a dismissal, make arrangements to forward any incoming messages to the employee for a designated amount of time.

Of course, with dismissed employees, you don't want suppliers or customers maintaining contact with a possibly bitter or vindictive former worker. On the other hand, it can be upsetting to these outside constituencies to be unable to reach a person they're used to working with—and to get no explanation from your company for what has happened.

Clearly, you need to make careful decisions regarding what kinds of communication channels you want to keep open, for how long, and in what respect. Balance concerns about what an abrupt communication cut-off may do to the company against any risks involved in forwarding messages to former workers for a time.

Your organization may have policies in place regarding these questions, so be sure to check with your supervisor or human resources department to make sure you're following those regulations.

It seems that managers can't say anything anymore without risking a lawsuit. What *can* I legally say during a dismissal meeting without prompting legal repercussions from the affected employee?

Employment laws vary widely from state to state, country to country, and even employee to employee (in the sense of laws governing employment of unionized and nonunionized workers, or exempt versus nonexempt workers). Thus you must consult your organization's legal department to ensure that you're handling a dismissal meeting correctly. Some rules of thumb may help—for example, it's generally safer legally to keep your comments as concise and neutral as possible. However, do check with your company's legal counsel to make sure you understand—and follow—the law and your firm's policies.

Overview

This section provides interactive exercises so you can practice what you've learned. These exercises are self-checks only; your answers will not be used to evaluate your performance in the topic.

Scenario

Assume the role of a manager in a fictional situation and explore different outcomes based on your choices (5-10 minutes).

Check Your Knowledge

Assess your understanding of key points by completing a 10-question quiz (10 minutes).

Scenario: Part 1

Part 1

When Nadia became head of her company's design group a year ago, she inherited a competent team that was known for producing outstanding work—except for one member, Malcolm. His weekly reports are incomplete. Several of his accounts are over budget. And most worrisome, he's missed two critical client deadlines that could have cost the company a lot of money. Fortunately, Nadia saved the deals by renegotiating the schedule of deliverables.

Team members have voiced their concerns about Malcolm to Nadia. They're frustrated because he shows up late to work, comes to meetings unprepared, and fails to return important e-mails.

Throughout the year, Nadia has had ongoing coaching sessions with Malcolm, but they haven't helped. She recognizes she has a problem on her hands and contemplates how she should proceed.

What would you advise Nadia to do next?

- **Talk with Malcolm. Express her concerns over his ongoing poor performance and explain its negative impact on the group.**

Not the best choice.

Malcolm has repeatedly underperformed over the past year, and Nadia has tried coaching. When behavior like this becomes a pattern, a manager needs to step in and take more proactive measures. Talking with Malcolm is no longer enough.

- **Dismiss Malcolm from the company. Nadia has tried coaching Malcolm for a year, but efforts have been unsuccessful. Keep the group on track by removing the problem employee.**

Not the best choice.

The next step is to work with the company's human resources department. Even though Malcolm's poor performance may constitute grounds for dismissal, replacing a dismissed employee can be costly. Nadia should work with human resources to explore other alternatives, such as training, warnings, performance improvement plans, probation, or suspension.

- **Document Malcolm's poor performance over time. Follow up with the company's human resources department to discuss additional**

measures, such as creating a performance improvement plan for Malcolm or putting him on probation.

Correct choice.

Since Malcolm has displayed a pattern of poor performance, it's best to document the trend and explore the possibility of bringing his performance back to an acceptable level. Nadia should work with the company's human resources department to develop a performance improvement plan. She should also consult human resources and in-house legal counsel to make sure she's following company policy and procedures correctly.

Scenario: Part 2

Part 2

With the help of human resources, Nadia creates a performance improvement plan for Malcolm, but Malcolm fails to improve.

Nadia talks with human resources to determine the next step. Malcolm's personnel file is filled with paperwork documenting missed deadlines, incomplete reports, and instances of overspending. Nadia, her supervisor, and human resources agree that they have no choice but to dismiss Malcolm from the company.

Nadia schedules a meeting with Malcolm and thinks about how she will deliver the news to him as effectively and humanely as possible.

What should Nadia say to Malcolm in the meeting?

- "Malcolm, because you've failed to meet performance expectations, I have no other choice but to dismiss you from the company."

Correct choice.

When you break the news of a dismissal to an employee, keep your conversation brief. State the facts, and be straightforward and resolute. Make sure the individual knows that your decision is final.

- "Malcolm, the company is cutting costs, and senior management has notified me that I need to make a few layoffs. Unfortunately, your position is the first to be eliminated."

Not the best choice.

Never disguise a dismissal as a layoff. It isn't fair or ethical. Some courts may even deem it illegal. While breaking the news of a dismissal can be difficult, it's essential to be honest and up front.

- "Malcolm, I like working with you. Unfortunately, you've been underperforming for some time. Human resources has put pressure on me to dismiss you from the company."

Not the best choice.

It's generally not helpful to foster an "us against them" mindset when dismissing an employee, even though it may ease your own discomfort with this painful task. Human resources is not dismissing the employee; you—the employee's manager—are. If you've taken steps to try improving the employee's performance, but these efforts haven't helped, be firm about your decision. Resist the urge to place accountability for the decision elsewhere.

Scenario: Part 3

Part 3

While the hard part of dismissing Malcolm may be over, Nadia's job is still not done. She needs to communicate the dismissal to her team and manage team members' concerns. Nadia contemplates how she will notify her group that Malcolm has been dismissed.

How would you advise Nadia to communicate Malcolm's dismissal to her team?

- Send an e-mail to the group explaining that Malcolm has been dismissed. Encourage team members to come to her privately with any concerns.

Not the best choice.

E-mail can be too impersonal. Some team members will want—and expect—Nadia to deliver the news in person. Also, team members will likely have questions and concerns about the decision to dismiss Malcolm. Instead of answering individual questions through e-mail, it's better to do so during a meeting. That way, everyone hears and receives the same information.

- Hold a team meeting and announce to the group that Malcolm has been dismissed. Invite team members to raise concerns and questions.

Correct choice.

Holding a team meeting to communicate the news to the group lets Nadia explain in person what has happened, address any questions and concerns, and acknowledge that dismissals are difficult for everyone. After the meeting, Nadia should also meet with team members individually. That way, they can voice any concerns that they didn't feel comfortable expressing in the group meeting.

- Take the group out to lunch. During the meal, break the news that Malcolm has been dismissed, and reassure team members that the situation had nothing to do with their performance.

Not the best choice.

While getting everyone together to communicate the news to the group is a good idea, a dismissal is painful for everyone involved. Nadia should treat the matter seriously. Announcing Malcolm's dismissal in a restaurant may encourage people to talk about him—something that may constitute slander if the talk is negative or critical. Worse, employees may even interpret a lunch meeting as a celebration.

Scenario: Conclusion

Conclusion

Understanding the grounds for dismissal, communicating a dismissal to the affected employee, and leading your team afterward are all difficult challenges. The more you know about dismissals, the better prepared you will be to handle one if the need arises.

It is vital to work with your human resources department and in-house legal counsel to ensure that you carry out your company's policies and procedures properly. A poorly handled dismissal can lead to lawsuits, damage an individual's professional reputation, and destroy trust and morale throughout the organization—potential outcomes no manager wants to create.

Though dismissing an employee is painful, it's also an important learning experience. When it's over, ask yourself what worked well, what didn't, and how you would do things differently if you ever had to dismiss an employee again.

Activity: Check Your Knowledge: Question 1

To dismiss an employee is to:

- Terminate an individual's employment with a company owing to inadequacies or problems with his or her performance or behavior.

Correct choice.

An employee may be dismissed for problematic *performance*, such as failing to meet sales goals or consistently botching client presentations; or problematic *behavior*, for example, chronic lateness or constant blaming of others for the team's or company's problems.

- Terminate an individual's employment with a company owing to the firm's desire to take a new strategic direction or cut costs.

Not the best choice.

Companies should not dismiss employees because of new strategic directions or a desire to cut costs. Such reasons constitute grounds for a layoff, not a dismissal. Rather, grounds for dismissals include problematic *performance*, such as failing to meet sales goals or consistently botching client presentations; or problematic *behavior*, for example, chronic lateness or constant blaming of others for the team's or company's problems.

- Terminate an individual's employment with the company owing to the fact that the worker and his or her manager do not get along on a personal level.

Not the best choice.

A manager should not fire someone simply because he or she doesn't get along with the worker on a personal level. Rather, grounds for dismissals include problematic *performance*, such as failing to meet sales goals or consistently botching client presentations; or problematic *behavior*, for example, chronic lateness or constant blaming of others for the team's or company's problems.

Check Your Knowledge: Question 2

Which of the following statements would not be appropriate to make when explaining to your team why someone was dismissed?

- Julia was dismissed because she was chronically late and abused sick leave privileges.

Not the best choice.

It *is* appropriate to explain to your team why an employee was dismissed if the information you share is factual and nonjudgmental about the person's character or reputation. It is *inappropriate* to say anything about a dismissed employee that could be perceived as damaging to his or her reputation—such as "Trevor could no longer be trusted." Uttering damaging statements can potentially lead to defamation charges being brought against your company.

- Max was dismissed after many months of unsuccessful attempts to improve his performance.

Not the best choice.

It *is* appropriate to explain to your team why an employee was dismissed if the information you share is factual and nonjudgmental about the person's character or reputation. It is *inappropriate* to say anything about a dismissed employee that could be perceived as damaging to his or her

reputation—such as "Trevor could no longer be trusted." Uttering damaging statements can potentially lead to defamation charges being brought against your company.

- Trevor was dismissed because he falsified expense reports and could no longer be trusted.

Correct choice.

This statement is *not* appropriate because it contains a judgment about the employee's reputation ("Trevor could no longer be trusted"). Once an employee has been dismissed, you need to avoid doing or saying anything about that person that could be perceived as damaging to his or her reputation. Uttering damaging statements can potentially lead to defamation charges being brought against your company.

Check Your Knowledge: Question 3

Putting a problem employee on probation means:

- Putting the employee on a paid or unpaid leave from work, during which he or she must create a plan for addressing the problem performance or behavior, clarify expectations, and establish new goals.

Not the best choice.

An employee on probation is not put on leave; he or she still comes into the office every day. Probation means temporarily suspending certain workplace benefits (such as flextime or the opportunity to work from home) until the employee can demonstrate that he or she has corrected the problem performance or behavior. Probation is one of many alternatives to a dismissal and is worth considering if the problem employee has valued qualities or skills, or shows promise. Other alternatives to dismissal include training, counseling, coaching, suspension (paid or unpaid leave), demotion, warnings, and delaying of pay raises or bonuses.

- Temporarily suspending certain workplace benefits (such as flextime or the opportunity to work from home) until the employee can demonstrate that he or she has corrected his or her problem performance or behavior.

Correct choice.

Probation is one of many alternatives to a dismissal and is worth considering if the problem employee has valued qualities or skills, or shows promise. Other alternatives to dismissal include training, counseling, coaching, suspension, demotion, warning, and delaying of pay raises or bonuses.

- Issuing an oral and written warning to the employee in which you set a date by which he or she must improve the problem performance or behavior; the warning then gets documented and stored in the employee's personnel file.

Not the best choice.

A warning is something you might do before putting an employee on probation. Probation means temporarily suspending certain workplace benefits (such as flextime or the opportunity to work from home) until the employee can demonstrate that he or she has corrected the problem

performance or behavior. Probation is one of many alternatives to a dismissal and is worth considering if the problem employee has valued qualities or skills, or shows promise. Other alternatives to dismissal include training, counseling, coaching, suspension (paid or unpaid leave), demotion, warnings, and delaying of pay raises or bonuses.

Check Your Knowledge: Question 4

True or false: You must provide a reference for a dismissed employee if he or she (or if a potential new employer) asks for one.

- True

Not the best choice.

This statement is actually false. You aren't legally bound to provide a reference for an employee you dismissed. However, by refusing to provide one, you may risk charges of blacklisting from the former employee. That's why many companies provide just factual information (dates of employment, job title, and final salary) when asked for such a reference.

- False

Correct choice.

You aren't legally bound to provide a reference for an employee you dismissed. However, by refusing to provide one, you may risk charges of blacklisting from the former employee. That's why many companies provide just factual information (dates of employment, job title, and final salary) when asked for such a reference.

Check Your Knowledge: Question 5

Which of the following statements would not be appropriate to make when dismissing an employee?

- "The job hasn't worked out. You've continued to have unexcused absences over the past several months."

Not the best choice.

This statement actually *would* be appropriate to make while dismissing an employee, because it conveys information about the problematic performance or behavior that led to the dismissal. Statements that are *not* appropriate are those implying that you're dismissing the person because of his or her age ("We need someone who can project a high-energy, up-and-coming image."). Dismissal because of age—or gender, race, ethnic origins, marital status, religion, and other characteristics unrelated to job performance—constitutes discrimination in many workplaces. And an employee who has been discriminated against will likely be able to successfully sue your company for wrongful dismissal.

- "The job hasn't worked out. We set new sales goals for you six months ago, and you still haven't met them."

Not the best choice.

This statement actually *would* be appropriate to make while dismissing an employee, because it conveys information about the problematic performance or behavior that led to the dismissal. Statements that are *not* appropriate are those implying that you're dismissing the person because of his or her age ("We need someone who can project a high-energy, up-and-coming image."). Dismissal because of age—or gender, race, ethnic origins, marital status, religion, and other characteristics unrelated to job performance—constitutes discrimination in many workplaces. And an employee who has been discriminated against will likely be able to successfully sue your company for wrongful dismissal.

- "The job hasn't worked out. We need someone who can project a high-energy, up-and-coming image."

Correct choice.

This statement is *not* appropriate: It could imply that you dismissed the employee because he or she is too old. Dismissal on the basis of age or other personal characteristics such as gender, race, ethnic origins, marital status, religion, and so forth constitutes discrimination in many workplaces. And an employee who has been discriminated against will likely be able to successfully sue your company for wrongful dismissal.

Check Your Knowledge: Question 6

In many companies, which of the following employee behaviors might constitute grounds for immediate dismissal?

- An employee arrives at the office late several times in one week.

Not the best choice.

Occasional lateness does not constitute grounds for immediate dismissal. Rather, managers should use alternatives to dismissals—such as asking what may be causing the lateness, or using coaching or warnings—to correct the problematic behavior.

The correct answer here is "An employee steals a computer from his or her department." Stealing, along with threatening other workers, possessing an unapproved weapon at work, and other equally serious behaviors, may constitute grounds for immediate dismissal. Be sure to consult legal counsel to make sure you understand the laws and regulations unique to your situation.

- An employee steals a computer from his or her department.

Correct choice.

Stealing, threatening other workers, possessing an unapproved weapon at work, and other equally serious behaviors may constitute grounds for immediate dismissal. Be sure to consult legal counsel to make sure you understand the laws and regulations unique to your situation.

- An employee gossips with other workers on several occasions in one week.

Not the best choice.

Gossiping does not constitute grounds for immediate dismissal. Rather, managers should use alternatives to dismissals—such as coaching or warnings—to correct the problematic behavior.

The correct answer here is "An employee steals a computer from his or her department." Stealing, along with threatening other workers, possessing an unapproved weapon at work, and other equally serious behaviors, may constitute grounds for immediate dismissal. Be sure to consult legal counsel to make sure you understand the laws and regulations unique to your situation.

Check Your Knowledge: Question 7

There are certain employee behaviors for which a manager cannot legally dismiss the worker. Which of the following behaviors does not fall into that category?

- The employee has taken time off from work to vote.

Not the best choice.

Taking time off from work to vote *does* fall into the category of behavior for which a manager cannot legally dismiss the employee. Managers cannot legally dismiss an employee for taking time off work to perform a civic duty such as voting, for filing workers' compensation claims, or for other certain behaviors, such as deciding to join a union or taking a day off that was available through federal or state law.

Behavior that does *not* fall into this category is unwelcome, repeated sexual jokes during team meetings. Sexually oriented references *can* constitute grounds for legal firing.

- The employee has filed several workers' compensation claim.

Not the best choice.

Filing workers' compensation claims *does* fall into the category of behavior for which a manager cannot legally dismiss the employee. Managers cannot legally dismiss an employee for filing such claims, for taking time off work to perform a civic duty such as voting, or for other certain behaviors, such as deciding to join a union or taking a day off that was available through federal or state law.

Behavior that does *not* fall into this category is unwelcome, repeated sexual jokes during team meetings. Sexually oriented references *can* constitute grounds for legal firing.

- The employee makes unwelcome, repeated sexual jokes during team meetings.

Correct choice.

Sexually oriented references *can* constitute grounds for legal firing. Therefore, this behavior does not fall into the category of actions for which a manager can never dismiss the worker.

Check Your Knowledge: Question 8

When you have to dismiss an employee, it's best to break the news to him or her in a private setting. Of the statements listed below, which of the following constitutes the most important reason for conducting the meeting in private?

- If other employees see or hear what's happening, they may worry that they're next in line to be dismissed.

Correct choice.

The most important reason for conducting a dismissal meeting in private is to prevent a "siege mentality" from taking shape among the affected employee's coworkers. That is, coworkers who witness or overhear the meeting may conclude that they're just one mishap away from being dismissed themselves. And a siege mentality can erode morale and productivity.

- If other employees see or hear what's happening, they may criticize the dismissed employee afterward, worsening his or her pain.

Not the best choice.

Though other employees may criticize the dismissed employee, this isn't the most important reason for conducting the meeting in private. The most important reason is to prevent a "siege mentality" from taking shape among the affected employee's coworkers. That is, coworkers who witness or overhear the meeting may conclude that they're just one mishap away from being dismissed themselves. And a siege mentality can erode morale and productivity.

- If other employees see or hear what's happening, they may immediately protest the decision if they consider the dismissed employee their friend.

Not the best choice.

Though other employees may protest the decision, this isn't the most important reason for conducting the meeting in private. The most important reason is to prevent a "siege mentality" from taking shape among the affected employee's coworkers. That is, coworkers who witness or overhear the meeting may conclude that they're just one mishap away from being dismissed themselves. And a siege mentality can erode morale and productivity.

Check Your Knowledge: Question 9

If you have to dismiss someone, when should you deliver the news to the person?

- As late in the work day as possible on a Friday afternoon

Not the best choice.

Dismissing someone on a Friday afternoon may only encourage the person to stew helplessly over the weekend—and possibly decide to seek retaliation. The best time to deliver news of the dismissal to the affected employee is on a Monday afternoon. By choosing this timing, you

enable the person to begin looking for another job as quickly as possible—and to have the entire work week to organize his or her job search.

- As early in the day as possible during the middle of the work week

Not the best choice.

Dismissing in the middle of the work week doesn't give the person a lengthy stretch of time to organize his or her job search. The best time to deliver news of the dismissal to the affected employee is on a Monday afternoon. By choosing this timing, you enable the person to begin looking for another job as quickly as possible—and to have the entire work week to organize his or her job search.

- In the afternoon on a Monday

Correct choice.

Breaking the news of a dismissal to the affected employee on a Monday afternoon enables the person to begin looking for another job as quickly as possible—and to have the entire work week to organize his or her job search.

Check Your Knowledge: Question 10

Which of the following do not constitute important parts of leading your team after a dismissal?

- Reassuring remaining team members that the dismissal had nothing to do with their own performance as individuals or as a team.

Not the best choice.

This actually *does* constitute an important part of leading your team after a dismissal. By reassuring remaining employees that their performance had nothing to do with the dismissal, you help them refocus on their work.

The action that is *not* an important part of leading your team after a dismissal is celebrating the loss of a problem employee. A dismissal is painful for everyone involved, including the employee's manager and former coworkers. Thus it is never a cause for celebration.

- Celebrating the fact that the team can now function more smoothly because the problem worker has been removed.

Correct choice.

Celebrating the loss of a problem employee is *not* an appropriate or important part of leading your team after a dismissal. A dismissal is painful for everyone involved, including the employee's manager and former coworkers. Thus it is never a cause for celebration.

- Ensuring that the former employee's skills are represented in the group and that his or her work is redistributed fairly among remaining team members.

Not the best choice.

This actually *does* constitute an important part of leading your team after a dismissal. By ensuring that the former employee's skills are represented in the group and redistributing his or her work fairly among remaining team members, you build a strong team that can move forward despite losing a member.

The action that is *not* an important part of leading your team after a dismissal is celebrating the loss of a problem employee. A dismissal is painful for everyone involved, including the employee's manager and former coworkers. Thus it is never a cause for celebration.

Check Your Knowledge: Results

Your score:

Steps for preparing for a stressful conversation

1. Become aware of your own vulnerabilities to difficult situations.

Assess your vulnerabilities before initiating the difficult conversation.

Consider three separate areas:

Facts: What are the vulnerabilities you feel about the facts involved in the situation? For example, which facts do you and don't you know? Separate hearsay from fact and opinion. Know what you are and aren't prepared to discuss.

Feelings: What are your vulnerabilities around emotion? These may be your emotional hot buttons or the hot buttons of the other person in the conversation. Ask yourself what you will be feeling and what the other person will be feeling. For example, are you particularly vulnerable to hostile emotions in another person?

Identity: What implications might this conversation have for your identity? For the identity of the person you're addressing? When people feel their identity is threatened, they have the strongest reactions. For example, do you feel that your own well-being will be violated by the conversation—that you'll be announcing an action that opposes your own morals or beliefs about what is right? Will your news cause your listener to feel that his or her identity is threatened? If so, you may want to take extra care not to make the employee feel attacked on a personal level; that is, criticize his or her behavior but not who he or she is as a person.

2. Know how to react to your vulnerabilities.

Anticipating your reactions to stressful conversations can help you adopt more effective behavior. Self-awareness enables you to engage in stressful conversations in a way that serves your needs rather than panders to your feelings.

For example, if you feel vulnerable to hostility in another person, decide how you react to it. Do you withdraw from the person? Escalate the hostility? Clam up? Apologize and agree to reconsider your decision? In honest terms, write down your typical reactions to your vulnerability.

3. Select a neutral friend with whom to rehearse the stressful conversation.

Pick someone who doesn't have the same vulnerabilities as you. Ideally, select a friend who is a good listener and is honest but nonjudgmental. Of course, that person should also be trustworthy and able to maintain confidentiality.

4. Explain the conversation's purpose to your friend.

Start with content. Tell your friend what you want to say to the employee—without worrying about your tone or exact words. Don't worry if you're timid, cavalier, aggressive, unorganized in your argument, and so forth—just get the content of your message out in the open.

5. Think about what you would say if you did not have the vulnerabilities you identified.

If necessary, repeatedly go over what you would say if you didn't have the vulnerabilities you identified. Refine the words until they are as neutral as possible. Your friend can help you achieve the appropriate wording. (He or she won't be experiencing the emotional intensity that you do when you envision having the stressful conversation.)

6. Write down the phrasing you came up with in step 5.

Get your friend's help in documenting the phrasing you settled on. That way, you won't forget the words later—during the actual conversation with your employee.

7. Now refine your body language and tone of voice to match your phrasing.

With your friend, practice delivering the talk that you'll later have with your employee. Have your friend point out any body language—a gesture, your posture, a facial expression—that doesn't match your words in neutrality.

Studies show that if your words and body language are contradictory, your listener will pay more attention to your body language than your words. Practice making your body language as neutral as possible.

Nonneutral body language might include distracting or emotion-laden facial expressions, such as eyebrows skittering up and down; body posture that says "I don't want to deal with this;" nervous snickers or throat-clearing; and so forth.

Also practice speaking in a neutral voice. Many people (especially in Westernized cultures) are even less aware of their voice tone than they are of their body language. Yet voice tone conveys emotion heavily. Practice intonations and listen carefully for sarcasm, distress, or any highly emotional message your voice may be sending. Practicing into a tape recorder can help.

Steps for documenting employee performance problems

- 1. Consider using all forms of documentation**—annual performance reviews, improvement plans, disciplinary steps, written warnings, personal notes, memos, and e-mails.
- 2. Make sure your documents contain nothing** that you wouldn't discuss with the employee.
- 3. Concentrate on objective work-performance issues**, not your personal opinions.
- 4. Reflect cool, reasoned observations.**
- 5. Make sure all documents are dated** and hard copies are signed.
- 6. Store records digitally** and keep copies of printed materials.
- 7. File all records in a confidential, secure place.**

Tips for dealing with employee behavior problems

- **"Gossip-mongers"**: Explain how gossip and inflammatory rumors can hurt the whole organization. Work to redirect a gossip monger's energy in more positive ways. If necessary, consider relocating this individual so that you can monitor his or her productivity more easily.
- **"Blamers"**: Explain that chronic blaming of others for things that go wrong hurts both the team and the company. Consider shuffling workloads around to better balance the tasks at hand. Watch to see if your changes solve the problem. If not, take steps toward a performance improvement plan or employment termination.
- **"Downers"**: Explain that a constant negative attitude can be highly damaging to a team's enthusiasm and commitment. Show concern that the person isn't happy on the job. Listen to and deal with specific complaints. Solicit suggestions for improving the way your team works.
- **"Know-it-alls"**: Explain that employees who constantly brag about their superior abilities can wear down a team's spirit. Acknowledge the person's positive attributes or skills while at the same encouraging him or her to respect and value the capabilities of other employees.
- **"Slackers"**: Explain that low productivity due to repeated absences or tardiness, frequent disorganization, or inability to set priorities frustrates other team members and makes them become angry and resentful. If poor performance stems from personal problems, consider adjusting the person's work schedule to ease the burden. If it's due to pure laziness, take steps toward a performance improvement plan or employment termination.
- **"Jokesters"**: Explain that racist, homophobic, sexist, or offensive comments are unacceptable in the workplace and that employees who persist in making these comments or jokes risk harassment complaints.

Tips for conducting dismissals

- Deliver the news yourself; however, make sure someone from your human resources department is also present.
- Keep the dismissal conversation brief.
- Be honest, straightforward, and resolute. Make sure the person knows your decision is final.
- Focus on unmet performance expectations. Make it clear that the job didn't work out because the employee failed to meet specific job-related expectations—not because of a personal aspect, such as his or her character, personality, or physical condition.
- Refer to specific pieces of documentation to illustrate concrete points.
- Don't use undocumented hearsay as evidence against a problem employee.
- Don't disguise a dismissal as a downsizing or as a way to get rid of someone with whom you just don't get along. It isn't fair or ethical, and some courts may even see it as illegal.
- Don't disparage the dismissed individual or discuss the reasons for the dismissal with other employees in the company.
- Evaluate yourself as a manager. Ask yourself, "What might I have done to prevent this dismissal?" In many cases, dismissals stem in part from a manager's failure to adequately explore potential solutions to an employee's performance or behavior problem.

Tips for giving references for a dismissed employee

- Verify information. Check the former employee's file before giving a reference to ensure that you state just the facts.
- Keep it short. Whether you're writing a reference letter or providing a phone reference, limit the amount of information you offer so that you reduce your chances of saying anything that could be perceived as defamatory.

- Keep it factual. Limit your responses to factual information: dates of employment, title, salary, and other objective data. A crafty interviewer can persuade you to volunteer information you didn't intend to offer—some of which might present a legal risk.
- Be suspicious. Some disgruntled former employees may try to trap you into giving a negative reference—which they could then use against you. Therefore, before giving a reference, make sure the request comes from a legitimate source.

Tips for working with a communications coach

- Select the right coach. A good communications coach can be an internal employee or external consultant. He or she should understand your company's culture and employees' issues, as well as know how to facilitate change and transition processes.
- Work on the right skills with your coach, such as communicating difficult news in a timely manner, tailoring your delivery style to the demands of the situation, avoiding unclear or inflammatory language, listening to employees' concerns and emotions, and conveying empathy and resolve simultaneously.
- Look to your coach for emotional support. A good communications coach can help you sort through the emotional complexities that often characterize such conversations. He or she can also help you maintain needed perspective, and can replenish your energy just by listening.
- Work with your coach to expand and improve your communication skills—whether those skills involve dealing with your direct reports, holding more meetings, or conveying your agenda.

List of dos and don'ts for dismissing an employee

List of Dos and Don'ts for Dismissing an Employee

Use this list as a quick reminder of what you should do or not do as part of the process of dismissing an employee. You can add to this list specific policies and practices within your company, as well as tips you've learned from experience.

| Do . . . | Don't . . . |
|--|--|
| Do become familiar with your company's policies and procedures. | Don't tell a dismissed employee that the dismissal is part of a layoff if it isn't. |
| Do be informed about the legal implications of dismissing an employee. Be sure to seek legal advice from a knowledgeable attorney. | Don't use statements that could leave the impression that the employee is being dismissed for discriminatory reasons, such as being too old, too married, too pregnant and so forth. |
| Do involve a human resources professional if possible in the plan and termination meeting. | Don't use humor or make light of the situation. |
| Do document the terms of the employee's dismissal and create a separation letter. | Don't threaten an employee who implies that he or she may challenge the dismissal. |
| Do acknowledge the emotional impact of this process on yourself and the employee. | Don't withhold the person's final paycheck. |
| Do be dispassionate, direct and focused in the meeting but deliver the message in a way that preserves the person's dignity. | Don't go it alone: Have a human resources professional at the meeting if possible. |
| Do keep the meeting short and private. | Don't make potentially damaging statements about the employee to fellow employees. |
| Do deliver a severance package if possible to ease employee concerns about security. | Don't make potentially damaging statements about the dismissed employee to his or her former clients. |
| Do make arrangements for the employee to retrieve his or her personal belongings. | Don't apologize or reconsider your decision if the employee protests. |
| Do set up an exit interview if possible. | Don't argue about your message. |
| Do listen as well as talk: the employee may share more finely important information. | Don't make promises you can't keep. |
| Do honor employment contracts, such as union's collective bargaining agreements, noncompetes or nondisclosure agreements, or a service letter. | Don't just shut off the employee's e-mail and voicemail without careful decisions about what channels you want to keep open or closed. |
| Do concisely communicate to other workers appropriate information concerning the dismissal, including your plan for seeking a replacement. | |
| Do redistribute the dismissed employee's work if necessary, in a way that enables others to remain productive. | |
| Do follow company policy regarding notifying external contacts. | |
| Additional Dos and Don'ts | |
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Dismissal preparation checklist

| <i>Dismissal Preparation Checklist</i> | | |
|--|-----|----|
| <i>Use this checklist to help you prepare for dismissing an employee. You can add company-specific procedures or your own personal items to this list.</i> | | |
| Have You? | Yes | No |
| 1. Determined that dismissal is now the best means of going forward for this employee, and that there are no other viable alternatives? | | |
| 2. Reviewed company policies and procedures on dismissing an employee? | | |
| 3. Sought legal advice on the soundness of your reasons, and on how to manage the dismissal? | | |
| 4. Kept adequate records to document the employee's inadequate performance and measures taken to address it? | | |
| 5. Avoided making judgmental or discriminatory statements about the person that could end up being harmful to you or the company? | | |
| 6. Recognized and tried to deal with the emotional impact of making this decision on yourself and the other person? | | |
| 7. Sought appropriate support and guidance if this is your first dismissal? | | |
| 8. Thought through how you will present this situation to the employee, and how you will handle difficult questions or behaviors? | | |
| 9. Asked a human resources professional if possible, or needed, to sit in on the dismissal session with you? | | |
| 10. Arranged a private place and reserved a time to have the conversation with the employee? | | |
| 11. Thought through how you will announce this dismissal to others in your workgroup? | | |
| 12. Made a plan to handle the dismissed employee's workload? | | |
| 13. Consulted with Human Resources about finding a replacement? | | |
| 14. Prepared all the necessary paperwork? | | |
| 15. Developed an exit plan for the employee that makes the dismissal day his or her last day, and includes how email or other communications will be handled internally or externally, how he or she can retrieve his or her belongings, who will accompany him or her out of the building and so forth? | | |

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Self-assessment on managing a dismissal

| <i>Self-Assessment on Managing a Dismissal</i> | | | | | |
|---|--------|---|---|---|------|
| Use this tool to reflect upon how you managed a dismissal situation. It can help you recognize what you did well, and what perhaps you can do better the next time. | | | | | |
| For each statement below, indicate on a scale of 1 to 5 how strongly you agree or disagree with the statement. A "1" means "strongly disagree;" a "5" means "strongly agree." | | | | | |
| Statement | Rating | | | | |
| | Low | | | | High |
| | 1 | 2 | 3 | 4 | 5 |
| I received company information on policies and procedures. | | | | | |
| I requested coaching from human resources or others as needed on how to manage dismissing an employee. | | | | | |
| I sought legal counsel to make sure that I was handling the situation correctly and avoided a wrongful-dismissal suit. | | | | | |
| I oversaw the administrative details efficiently, including the completion of necessary paperwork. | | | | | |
| I reviewed the employee's files so I was up to date and informed about the situation. | | | | | |
| I kept a respectful, realistic attitude in communications with the employee. | | | | | |
| I acknowledged and try to deal with my own emotions associated with dismissing an employee. | | | | | |
| I set up a private meeting with the employee and made arrangements so that meeting date was the employee's last day on the job. | | | | | |
| I made sure a human resource manager was present at the meeting to provide support and answer employee questions about the impact of the dismissal. | | | | | |
| I kept the meeting as short as possible, under ten minutes if possible. | | | | | |
| I maintained a dispassionate attitude and was direct, focused, and resolute. | | | | | |
| I delivered the news in a way that preserved the employee's dignity and tried to strike a balance between being concise and empathetic. | | | | | |
| I cited reasons for the dismissal in a neutral tone as simply and directly as possible. | | | | | |
| I didn't get into details that might complicate the situation. | | | | | |
| I escorted or had a company representative escort the employee from the building. | | | | | |
| Other (fill in) | | | | | |
| | | | | | |
| | | | | | |
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Why Develop Others?

"At the end of the day, you bet on people, not strategies."

Larry Bossidy

Former CEO, AlliedSignal

In today's global business environment, markets and regulations change quickly. Competitors constantly innovate. Technological changes are the norm.

In order to outmaneuver the competition and meet the demands of the moment, organizations must be agile. They must execute flawlessly. And they must transform themselves continuously.

Are your leaders ready?

Dr. Noel M. Tichy

Professor

University of Michigan Ross School of Business

We have now entered an era where I don't care what industry you're in, you need leaders who

can make decisions, make judgment calls at every single level. All the way down to the interface with the customer.

If you go to a company like Google or any of the high tech companies, a lot of the innovation that Amazon does is happening right at the front line. Go ahead, try it, put it out there, we'll learn from it. That cannot happen if the senior leadership doesn't have a commitment to both develop the leadership capability, but develop the business through engaging people at all levels of the organization.

Becoming a teaching organization

I like to tell parents that they cannot delegate their responsibility to develop their children. And I think it is the same in an organization. Day in and day out the person that has the biggest impact on people in the organization is the next level above and the associates around and below. And so to build a learning organization I say is not enough. Learning could be, you know we are learning cooking, we are learning this or that, but teaching organizations, when I learned something, I have a responsibility to teach my colleagues.

So everybody takes responsibility for generating new knowledge and it is not enough to be a learner, you then have to translate it into teaching.

The Virtuous Teaching Cycle

The role of a leader is to ensure that the people who work for them and around them are better every day. There's only one way to make people better. It's to teach them, learn from them, create what I call "virtuous teaching cycles", not command and control.

A virtuous teaching cycle is teach learn, teach learn. And the leader has a responsibility for reducing the hierarchy, for having a point of view to start the discussion, but then to be responsible to hear everyone's voice, get everyone involved in a disciplined way. It is not a free for all. But it is the leader's responsibility to create that virtuous teaching cycle.

A wonderful example of virtuous teaching cycle is the program that Roger Enrico ran at Pepsi, where every one of the 10 vice presidents comes with a business project.

Roger Enrico gets smarter as result of five days with 10 vice presidents, because he's learning from them. He needs to lower the hierarchy. He needs to be open to learning. And in turn, the people participating need to be energized and empowered to come up and engage in problem solving.

Another example is at Best Buy, where every morning in the stores you would bring 20 associates or so together and they would review the profit and loss statement from the day before, what we learned from the different customer segments in our stores, what we can do to improve our performance this day. And they do that every single day. The store manager was learning mostly from the associates on the floor.

That was a virtuous teaching cycle were everybody is teaching everybody, everybody is learning and the result has been an incredible result at Best Buy.

"The growth and development of people is the highest calling of leadership."

- Harvey S. Firestone

Founder, Firestone Tire and Rubber Co

There are clear advantages to leader-led development.

But for many leaders, taking on teaching, coaching, and other development responsibilities can seem daunting. You might avoid taking on these roles due to lack of time, resources, or your own lack of comfort with this role.

The following tips and resources can help you impart valuable learning to your team every day.

To develop others...

- Start with a Teachable Point of View

The first requirement of being able to develop other leaders is to have what I call a teachable point of view. I often give the example of, if I ran a tennis camp and you just came to day one of the tennis camp, I better have a teachable point of view on how I teach tennis. So you are standing there looking at me and it has got four elements. One, the ideas, well how do I teach the backhand, the forehand, the serve, rules of tennis. Then if I am a good tennis coach, I have a set of values. What are the right behaviors I want, how do I want you to dress, how do I want you to behave on the tennis court.

But if that's all I have, what do I do? Show you a power point presentation and then expect you to hit 500 backhands, 500 serves, run around for eight hours. I have to have a teachable point of view on emotional energy. How do I motivate you to buy in to the ideas and values?

On one end of the spectrum it could be I threaten you with corporal punishment, the other I can give you stock options, I can make you feel good about yourself, I can help you develop as a human being, what motivates you.

And then finally, how do I make the tough judgment calls, the yes/no, decisions as the tennis coach, the ball is in, the ball is out. I don't hire consultants and set up a committee, it is yes/no. And the same with running a business, what are the products, services, distribution channels, customer segments that are going to grow top line growth and profitability of the organization.

What are the values that I want everyone in the organization to have, how do I emotionally energize thousands of people, and then how do I make the yes/no, judgments on people and on business issues. So the fundamental building block of being able to develop other leaders is to have that teachable point of view just like the tennis coach.

To develop others...

- Lead with questions

Questions are hugely important because you want to create dialogue and again, what I call a virtuous teaching cycle where the teacher learns from the students and vice versa. Which means everybody ought to be free to ask whatever is on their mind, whatever it will take to get clarity and understanding, but it is not the leader just coming in and freeform asking questions. I believe the leader has a responsibility for framing the discussion, for having as best they can a teachable point of view, they may need help from their people in flushing it out, but they need to set the stage but then it has to be a very interactive, what I call virtuous teaching cycle environment, teach learn, teach learn, teach learn.

To develop others...

- Make it part of your routine

A good example to me of an outstanding leader developing other leaders is Myrtle Potter who at the time I am commenting was Chief Operating Officer of Genentech running the commercial side of the business. And she would take time at the end of every single meeting and do some coaching of the whole team on how we could perform as a team better, and then she would

often take individuals and say, could we spend 10 minutes over a cup of coffee, I want to give you some feedback and coaching on that report that you just presented on or how you are handling a particularly difficult human resource issue, but it was part of her regular routine. And I think the challenge for all of us as leaders is to make that a way of life and it is built into the fabric of how we lead and it is not a one off event, three times a year. It is happening almost every day.

To develop others...

- Make it a priority

One of the biggest challenges in getting people kind of on this path is to overcome some of their own resistance, either fear or the way I view the world I don't have time for this, everybody can make time. Roger Enrico is CEO of Pepsi. He didn't have time to go off for a week at a time and run training sessions. He had to readjust his calendar. So it requires you to look in the mirror and say, is this important. If it is important, of course I can make the time. Then I have to get over my own anxiety on how well I can do it, but it is a commitment to get on the path that says: this is how I am going to drive my own performance and the performance of my colleagues.

To develop others...

- Learn to teach

I think the biggest mistake is to assume you are going to be good at it right off the bat. It is like learning anything else. First time you go out and try and play tennis, good luck. But you got to stay with it and you got to engage your people in helping make you better and them better. And so it is a journey you need to get on, not I am going to do it perfectly when I start out.

If you want to be a great leader who is a great teacher, it's very simple. You have got to dive into the deep end of the pool. But you've got to dive into the pool with preparation. I don't want you drowning. I want you succeeding. It is extraordinarily rewarding for most human beings to teach others. I think once you can turn that switch on, it is self perpetuating. You get a lot of reinforcement, your team is better. You perform better because your performance goes up and it becomes this virtuous teaching cycle.

Your opportunity to develop others

We've heard why developing others can drive greater business results, and how to make the most of your leader-led development efforts. The materials provided in Develop Others enable you to create personalized learning experiences for YOUR team within the flow of their daily activities. Use the guides and projects to engage your team quickly. And to explore how key concepts apply to them in the context of their priorities and goals.

The value of teaching is the performance of the organization is totally dependent on making your people smarter and more aligned every day as the world changes. In the 21st century we are not going to get by with command and control. We are going to have to get by with knowledge creation. The way you create knowledge in an organization is you create these virtuous teaching cycles where you are teaching and learning simultaneously, responding to customer demands and changes, responding to changes in the global environment. My bottom line is if you're not teaching, you're not leading.

A leader's most important role in any organization is making good judgments — well informed, wise decisions about people, strategy and crises that produce the desired outcomes. When a leader shows consistently good judgment, little else matters. When he or she shows poor judgment nothing else matters. In addition to making their own good judgment calls, good leaders develop good judgment among their team members.

Dr. Noel M. Tichy**Professor, University of Michigan Ross School of Business**

Dr. Noel M. Tichy is Professor of Management and Organizations, and Director of the Global Business Partnership at the University of Michigan Ross School of Business. The Global Business Partnership links companies and students around the world to develop and engage business leaders to incorporate global citizenship activities, both environmental projects and human capital development, for those at the bottom of the pyramid. Previously, Noel was head of General Electric's Leadership Center at Crotonville, where he led the transformation to action learning at GE. Between 1985 and 1987, he was Manager of Management Education for GE where he directed its worldwide development efforts at Crotonville. He currently consults widely in both the private and public sectors. He is a senior partner in Action Learning Associates. Noel is author of numerous books and articles, including:

For more information about Noel Tichy, visit <http://www.noeltichy.com>.

Share an Idea

Leaders are in a unique position to recognize the ideas and tools that are most relevant and useful for their teams. If you only have a few minutes, consider sharing an idea or tool from this topic with your team or peers that is relevant and timely to their situation.

For example, consider sending one of the three recommended ideas or tools below to your team with your comments or questions on how the idea or tool can be of value to your organization. By simply sharing the item, you can easily engage others in important conversations and activities relevant to your goals and priorities.

[Tips for conducting dismissals](#)

[Steps for preparing for a stressful conversation](#)

[Self-assessment on managing a dismissal](#)

To share an idea, tip, step, or tool with your comments via e-mail, select the EMAIL link in the upper right corner of the page that contains the idea, tip, step, or tool that you wish to share.

Discussion 1: When to dismiss an employee

For your team members who have direct reports of their own, the question of whether to dismiss an employee is not only painful; it can also be confusing. Laws governing dismissals vary by country and state, and organizational policies regarding dismissal can differ as well.

When faced with questionable behavior or performance on the part of an employee, your team members may wonder, "Is this behavior grounds for immediate dismissal? Should I try to fix the problem first and hope the employee responds? Is this a behavior for which I can't legally dismiss the person?"

To navigate this uncertain landscape, it can be helpful for your team members to discuss the

complexities involved in determining when to dismiss an employee. They can share their current understanding of grounds for dismissal and identify information sources they could consult to learn more.

Use these resources to lead a discussion with your team about this difficult decision.

Download resources:

[Discussion Invitation: When to Dismiss an Employee](#)

[Discussion Guide: When to Dismiss an Employee](#)

[Discussion Slides: When to Dismiss an Employee \(optional\)](#)

[Tips for Preparing for and Leading the Discussion](#)

Note: If your team has only a few members with direct reports of their own, consider partnering with a colleague to co-lead the discussion for your combined groups.

Working through the discussion guide can take up to 45 minutes. If you prefer a shorter 15- or 30-minute session, you may want to focus only on those concepts and activities most relevant to your situation.

Conducting a dismissal meeting

For your team members who have direct reports, deciding that they need to dismiss an employee is a painful and difficult moment. Breaking the news to the employee is even harder. Your team members also may not know exactly how to prepare for the meeting or what to say (and not say) during the meeting.

As uncomfortable as this meeting may be, it's crucial that your team members learn how to conduct it properly. A mishandled dismissal can put your organization in a perilous position. As just one example, if your team member says the wrong thing during the meeting, the dismissed employee could successfully sue your company for wrongful dismissal or discrimination.

Preparation and practice — including understanding dismissal procedures and knowing what to say and not say during the actual notification meeting — are key to learning how to conduct a dismissal properly.

Use these resources to lead a discussion with your team about how to prepare for and conduct a dismissal meeting. The discussion will include short role-plays that participants can use to practice what to say during the meeting and how to say it.

Download resources:

[Discussion Invitation: Conducting a Dismissal Meeting](#)

[Discussion Guide: Conducting a Dismissal Meeting](#)

[Discussion Slides: Conducting a Dismissal Meeting \(optional\)](#)

[Tips for Preparing for and Leading the Discussion](#)

Note: If your team has only a few members with direct reports of their own, consider partnering with a colleague to co-lead the discussion for your combined groups. Also, consider inviting not only team members who have never had to dismiss an employee but also those who have had that experience.

Working through the discussion guide can take up to 45 minutes. If you prefer a shorter 15- or 30-

minute session, you may want to focus only on those concepts and activities most relevant to your situation.

Start a Group Project

Just like any change effort, successfully incorporating new skills and behaviors into one's daily activities and habits takes time and effort. After reviewing or discussing the concepts in this topic, your direct reports will still need your support to fully apply new concepts and skills. They will need to overcome a variety of barriers including a lack of time, lack of confidence, and a fear of making mistakes. They will also need opportunities to hone their skills and break old habits. To help ensure their success, you can provide safe opportunities for individuals and your team as a whole to practice and experiment with new skills and behaviors on the job.

For example, to encourage the adoption of new norms, you can provide your team members with coaching, feedback, and additional time to complete tasks that require the use of new skills. Management approaches such as these will encourage team members to experiment with new skills until they become proficient.

Group learning projects provide another valuable technique for accelerating team members' development of new behaviors. A group learning project is an on-the-job activity aimed at providing team members with direct experience implementing their new knowledge and skills. Through a learning project, team members discover how new concepts work in the context of their situation, while simultaneously having a direct and tangible impact on the organization.

The documents below provide steps, tips, and a template for initiating a group learning project with your team, along with two project recommendations for this topic.

Download resources:

[Tips for Initiating and Supporting a Learning Project](#)

[Learning Project Plan Template](#)

[Learning Project: Familiarize Yourself with Dismissal-Related Laws and Company Policies](#)

[Learning Project: Learn from a Dismissal](#)

A New Game Plan for C Players

[Beth Axelrod, Helen Handfield-Jones, and Ed Michaels. "A New Game Plan for C Players." *Harvard Business Review*, January 2002.](#)

[Download file](#)

Summary

In this article, the authors of *The War for Talent* explore the hidden costs of tolerating underperformance and acknowledge the reasons why executives may shy away from dealing decisively with C players. They recommend that organizations establish rigorous, disciplined processes for assessing and dealing with low-performing managers but still treat them with respect. The authors also emphasize the need for executives to ensure that low performers are treated with dignity—offer candid feedback, instructive coaching, and generous severance packages and outplacement support.

Sometimes You Do Have to Fire People

Steve Gosset. "Sometimes You Do Have to Fire People." *Harvard Management Communication Letter*, October 1999.

[Download file](#)

Summary

It's not a pleasant job, but sometimes people need to be fired. And companies who don't properly document and communicate the circumstances leading up to terminations may leave themselves open to costly lawsuits, workplace violence, or worse. This article provides tips on how to break the news to an employee, as well as dealing with post-termination issues such as outplacement and references.

The Reign of Zero Tolerance

Ben Gerson, Janet Parker, Eugene Volokh, Jean Halloran, and Michael G. Cherkasky. "The Reign of Zero Tolerance." *Harvard Business Review*, November 2006.

[Download file](#)

Summary

Simon Pemberton, a materials chemist at Applied Devices, is escorted by security guards to the company parking lot, where an HR manager tells him he's fired. Until that moment, things seemed to be going well. Simon had known, of course, about AD's zero-tolerance program, but it hadn't occurred to him that he'd violated it—particularly since his unauthorized e-mailing and Internet use were meant to serve the goal of scientific inquiry. Don Hardee, the CEO, strongly believes that deviations from a defined standard of behavior shouldn't be tolerated at AD. The dangers they pose to employees' health, safety, and morale, not to mention the company's productivity and reputation, are too great. Shirlee North, the head of HR, agrees. Ever since the jilted husband of an employee burst into AD's lobby waving a pistol, workers have been clamoring for security, and the zero-tolerance policies provide that. Initially, the program covered only weapon and drug possession, but the list of offenses warranting termination has grown considerably. When Shirlee's second in command argues that such policies are unworkable and unjust, Shirlee points out that the company intervenes only when the action is clearly prohibited, the harm actual or imminent, and the evidence unambiguous. Are Don and Shirlee right to stand firm, or should Applied Devices modify its program?

Commenting on this fictional case study are Janet Parker, the senior vice president of human resources for AmSouth Bank; Eugene Volokh, a professor at UCLA School of Law; Jean Halloran, the senior vice president of human resources at Agilent Technologies; and Michael G. Cherkasky, the president and CEO of Marsh & McLennan.